

**ORDINANCE NO. 25-\_\_**

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, FLORIDA, AMENDING THE MARION COUNTY CODE OF ORDINANCES, CHAPTER 2 ADMINISTRATION, ARTICLE III OFFICERS AND EMPLOYEES, DIVISION 2 COUNTY ADMINISTRATOR, SECTION 2-48 POWERS AND DUTIES PARAGRAPH (4), TO CLARIFY THE AUTHORITY OF THE COUNTY ADMINISTRATOR WITH RESPECT TO CONTRACTS, APPLICATIONS, AND AGREEMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE: AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Article VIII, Section I of the Florida Constitution, and Chapter 125, Florida Statutes, the Board of County Commissioners of Marion County, Florida ("Board"), has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law, and such power may be exercised by the enactment of county ordinances and resolutions; and

**WHEREAS**, Section 125.73, Florida Statutes, provides for the appointment of a County Administrator, who shall be the administrative head of the county and shall be responsible for the administration of all departments of the county government which the Board has authority to control; and

**WHEREAS**, the Board previously adopted Ordinance 21-10 to streamline the approval of events, permits, mortgage satisfactions, environmental reviews, agreements under \$50,000, estoppel certificates verifying compliance and satisfaction with contractual obligations and risk management claim settlements; and

**WHEREAS**, the County Administrator, in consultation with the Board, has identified a need to clarify and update provisions of the County Code of Ordinances describing the powers and duties of the County Administrator with respect to signature authority; and

**WHEREAS**, recent changes to Marion County's State Housing Initiatives Partnership Local Housing Assistance Plan 2025-2028, require an increase on the County Administrator's authority to execute mortgages that exceed the \$50,000 threshold; and

**WHEREAS**, it is in the best interest of the public health, safety and welfare of the County to amend Code Section 2-48 to modify the authority of the County Administrator as provided in this Ordinance; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of County Commissioners of Marion County, Florida:

**SECTION 1. CODE AMENDMENT.** The Marion County Code of Ordinances, Chapter 2 – Administration, Article III – Officers and Employees, Division 2 – County Administrator, Sec. 2-

48 – Powers and Duties, paragraph (4) is hereby amended as follows (deletions shown in ~~strikethrough~~ type, and additions shown in underscore type):

## **Chapter 2 ADMINISTRATION**

### **Article III – OFFICERS AND EMPLOYEES**

#### **Division 2 – County Administrator**

##### **Sec. 2-48. Powers and Duties**

The County Administrator shall by way of enumeration and not by way of limitation have the following specific powers and duties:

...

(4) To coordinate under the direction of the board of county commissioners' leases, contracts and other agreements for the county and to see that all terms and conditions of same are faithfully executed and performed and to notify the board of county commissioners of violations thereof and make recommendations concerning the nature and location of county improvements.

(a) The County Administrator or his designee, which may include an Assistant County Administrator, the Fire Chief, an Executive Director or a Director, is authorized to enter into and execute documents (i.e. agreements, permits, purchase orders and contracts) including County obligations not to exceed \$50,000, which may consist of event contracts, health department service agreements, maintenance agreements, risk management claim settlements as limited by the County Code of Ordinances, operational permits, bingo licenses, mortgage satisfactions, environmental reviews, deposit collection service agreements and as custodian for county facilities documents. Any such agreements and documents, when fully executed, shall be kept as Public Record per State Statutes.

(b) The County Administrator or Assistant County Administrator or Fire Chief or Executive Director or Director as designated by the County Administrator and in consultation with the Marion County Board of County Commissioners Chairman may only execute and submit grant applications to federal or state agencies, or not-for-profit organizations meeting one of the following criteria:

(i) Florida Department of Environmental Protection (FDEP), Florida Department of Transportation (FDOT), Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), Florida Department of Economic Opportunity (DEO), United States Department of Agriculture (USDA) and Water Management District (WMD) Grant applications for projects in the County Capital Improvement Program (GIP) up to \$10,000,000.

(ii) Withlacoochee Regional Water Supply Authority (WRWSA) Grant applications for water conservation initiatives up to \$100,000.

(iii) Federal Emergency Management Agency (FEMA) and Hazard Mitigation Grant Program (HMGP) applications up to \$10,000,000.

(iv) Grant applications where there is no requirement or obligation for either matching funds or in-kind services from the County. However, an exception to this

requirement is where the Board has set aside an appropriation for funds available for such matching funds in the current fiscal year budget, in which case, the grant may be applied for with a commitment for matching funds up to the budgeted amount.

(v) Grant applications where the matching amount is less than \$50,000 in any fiscal year.

(vi) Grant applications where a one-time matching amount is less than \$100,000.

(c) The County Administrator may execute mortgages not to exceed \$100,000 for the Purchase Assistance and New Construction Home Ownership-Community Land Trust programs specifically outlined in the State Housing Initiatives Partnership Local Housing Assistance Plan.

All executed applications shall be provided on a future Board agenda as a notation for the record. Notwithstanding that the above referenced documents meets one of the foregoing criteria of Sections 1 and 2, above, the documents shall not be submitted without advance Board approval, if it requires an assumption of unknown levels of liability (such as a contractual indemnification agreement) or undefined levels of long-term service commitments on the part of the County.

## **SECTION 2. SEVERABILITY.**

It is hereby declared to be the intent of the Board of County Commissioners of Marion County that if any section, subsection, clause, phrase, or provision of this ordinance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

## **SECTION 3. REPEAL OF ORDINANCES.**

All ordinances or parts of ordinances, in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

## **SECTION 4. INCLUSION IN COUNTY CODE.**

It is the intent of the Board of County Commissioners of Marion County, Florida, and it is hereby provided that the provisions of this ordinance be incorporated into the Marion County Code of Ordinances, that the sections of this ordinance may be re-numbered or re-lettered to accomplish such intent.

## **SECTION 5. EFFECTIVE DATE.**

A certified copy of this Ordinance as enacted shall be filed by the Clerk of the Board with the Office of the Secretary of State of the State of Florida within ten (10) days after enactment, and this Ordinance shall take effect in accordance with Section 125.66, Florida Statutes.

**DULY ADOPTED** in regular session this \_\_\_\_ day of June, 2025.

BOARD OF COUNTY COMMISSIONERS  
MARION COUNTY, FLORIDA

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KATHY BRYANT, CHAIRMAN

ATTEST:

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GREGORY C. HARRELL  
CLERK

DRAFT